

## **MINUTES**

### **MONTANA SENATE 65th LEGISLATURE - SPECIAL SESSION**

### **JOINT HOUSE BUSINESS AND LABOR AND SENATE BUSINESS, LABOR, AND ECONOMIC AFFAIRS**

**Call to Order:** Chair Edward Buttrey, on November 14, 2017 at 8:02 AM, in Room 172  
Capitol

#### **SENATE ROLL CALL**

**Members Present:**

Sen. Edward Buttrey, Chair (R)  
Sen. Dee Brown, Vice Chair (R)  
Sen. Pat Connell (R)  
Sen. Tom Facey (D)  
Sen. Steve Fitzpatrick (R)  
Sen. Daniel R. Salomon (R)  
Sen. Jason D. Small (R)  
Sen. Frank Smith (D)  
Sen. Gordon Vance (R)  
Sen. Gene Vuckovich (D)

**Members Excused:** None

**Members Absent:** None

#### **HOUSE ROLL CALL**

**Members Present:**

Rep. Fred Anderson, (R)  
Rep. Willis Curdy (D)  
Rep. Amanda Curtis (D)  
Rep. Ross Fitzgerald (R)  
Rep. Moffie Funk (D)  
Rep. Bruce Grubbs (R)  
Rep. Steve Gunderson (R)  
Rep. Denley Loge (R)  
Rep. Mark Noland (R)  
Rep. Andrea Olsen (D)  
Rep. Gordon Pierson (D)  
Rep. Vince Ricci (R)  
Rep. Adam Rosendale (R)  
Rep. Casey Schreiner (D)  
Rep. Sharon Stewart-Peregoy (D)  
Rep. Jeremy Trebas (R)

Rep. Sue Vinton (R)  
Rep. Jonathan Windy Boy (D)  
Rep. Daniel Zolnikov (R)  
Rep. Sue Vinton (R)  
Rep. Jonathan Windy Boy (D)  
Rep. Daniel Zolnikov (R)

**Members Excused:** None

**Members Absent:** None

**Staff Present:** Nadine Spencer, Committee Secretary  
Jameson Walker, Legislative Branch

**Audio Committees:** These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

**Committee Business Summary:**

Hearing & Date Posted: SB 8, 11/14/2017

Additional testimony: SB 4

Executive Action: SB 4 - Do Pass; SB 5 - Do Pass as Amended; SB 8 - Do Pass as Amended

00:00:01 Chair Buttrey

00:01:32 Roll call

00:02:24 Chair Buttrey

**Additional Testimony SB 4:**

00:03:22 Kevin Braun, Montana State Fund

[\*\*EXHIBIT\(bus02a01\)\*\*](#)

00:04:45 Mr. Braun

[\*\*EXHIBIT\(bus02a02\)\*\*](#)

**Committee Questions and Discussion:**

00:12:10 Sen. Facey

00:13:27 Mr. Braun

00:14:24 Sen. Facey

00:14:37 Rep. Vinton

00:14:52 Mr. Braun

00:15:24 Chair Buttrey

00:15:43 Mr. Braun

00:16:07 Chair Buttrey

00:16:31 Mr. Braun

00:16:53 Chair Buttrey

00:17:15 Mr. Braun

00:17:55 Chair Buttrey

[\*\*EXHIBIT\(bus02a03\)\*\*](#)

00:18:21 Jameson Walker, staff attorney, Legislative Services Division

00:20:58 Sen. Brown

00:23:21 Mr. Walker

00:23:50 Sen. Facey

00:25:36 Mr. Walker

00:26:34 Sen. Facey

00:27:04 Chair Buttrey

00:27:16 Sen. Connell

00:28:14 Chair Buttrey

00:29:08 Mr. Walker

00:29:27 Chair Buttrey

00:29:40 Sen. Connell

00:30:01 Sen. Brown

00:30:24 Chair Buttrey

00:30:53 Sen. Facey

00:31:36 Rep. Stewart-Peregoy

00:32:39 Chair Buttrey

00:32:47 Sen. Facey

00:33:49 Mr. Braun

00:34:17 Sen. Facey

00:34:38 Chair Buttrey

SENATE COMMITTEE ON BUSINESS, LABOR, AND ECONOMIC AFFAIRS

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00:34:45	Rep. Windy Boy
00:35:34	Rep. Schreiner
00:36:00	Mr. Walker
00:36:13	Rep. Schreiner
00:36:26	Mr. Walker
00:36:36	Rep. Gunderson
00:36:53	Mr. Braun
00:37:21	Rep. Gunderson
00:37:27	Mr. Braun
00:37:42	Rep. Schreiner
00:37:51	Chair Buttrey
00:38:12	Rep. Schreiner
00:39:31	Mr. Braun
00:39:46	Chair Buttrey
00:40:10	Recess
00:45:56	Reconvened
00:46:20	Ali Bovingdon, deputy chief of staff, Governor's Office
00:48:12	Rep. Ricci
00:48:46	Ms. Bovingdon
00:48:49	Rep. Ricci
00:49:07	Ms. Bovingdon
00:49:45	Chair Buttrey
00:50:44	Ms. Bovingdon
00:50:48	Sen. Facey
00:51:21	Rep. Grubbs
00:52:05	Mr. Braun
00:52:10	Rep. Grubbs
00:52:23	Mr. Braun
00:52:39	Rep. Grubbs
00:52:46	Mr. Braun
00:52:56	Chair Buttrey
00:53:09	Mr. Walker
00:54:19	Chair Buttrey

**Committee Discussion on Potential Bill:**

00:54:44	Chair Buttrey
00:57:32	Rep. Vinton
00:57:47	Chair Buttrey
00:58:48	Sen. Brown
00:59:00	Chair Buttrey
00:59:08	Mr. Walker
00:59:24	Rep. Curtis
00:59:35	Chair Buttrey

Recess at 9:02 a.m.

Reconvene at 3:01 p.m.

00:00:06 Chair Buttrey

[EXHIBIT](#)(bus02a04)

00:01:26 Mr. Walker

00:01:55 Chair Buttrey

Vice Chair Brown assumed the role as chair.

### **HEARING ON SB 8**

#### **Opening Statement by Sponsor:**

0:02:29 Sen. Edward Buttrey (R), SD 11, opened the hearing on SB 8, Revise insurance premium tax laws pertaining to certain health insurers.

[EXHIBIT](#)(bus02a05)

#### **Proponents' Testimony:**

00:12:58 Frank Cote, vice president sales, Blue Cross Blue Shield Montana

00:17:03 Bill Shropshire, CEO, American Chemet Corporation

#### **Opponents' Testimony:**

00:19:16 Larry Turney, president, CEO, Montana Health CO-OP

00:22:03 Richard Miltenberger, representing himself

00:24:22 Jennifer Hensley, PacificSource Healthplans

[EXHIBIT](#)(bus02a06)

00:31:54 Brent Mead, executive director, Montana Policy Institute

00:34:05 Ali Bovingdon, deputy chief of staff, Governor's Office

00:36:50 John Morrison, former Montana insurance commissioner and co-founder, Montana Health CO-OP

#### **Informational Testimony:**

00:38:58 Harlan Wells, Office of the Secretary of State

00:39:16 Kris Hansen, Office of the Montana State Auditor

#### **Questions from Committee Members and Responses:**

00:39:55 Rep. Olsen

00:41:54 Mr. Cote

00:42:53 Rep. Olsen

00:43:19 Mr. Cote

00:44:11 Rep. Curdy

00:44:48 Mr. Turney

00:45:04 Rep. Curdy redirect

00:45:20 Ms. Hensley

00:46:39 Rep. Curdy

00:47:03 Ms. Hensley

00:47:40 Rep. Curdy redirect

00:47:52 Mr. Turney

00:48:18 Rep. Grubbs

00:49:21 Ms. Hensley

00:49:35 Rep. Schreiner

00:49:57 Sen. Buttrey  
00:50:39 Rep. Curtis  
00:50:55 Ms. Hensley  
00:51:04 Rep. Curtis

**EXHIBIT(bus02a07)**

00:51:14 Sen. Brown  
00:51:38 Rep. Windy Boy  
00:51:56 Ms. Hensley  
00:52:32 Rep. Pierson  
00:52:43 Mr. Cote  
00:53:33 Mr. Turney  
00:53:48 Ms. Hensley  
00:54:14 Rep. Loge  
00:54:38 Ms. Hensley  
00:55:26 Rep. Stewart-Peregoy  
00:55:59 Sen. Buttrey  
00:56:55 Rep. Stewart-Peregoy  
00:57:14 Sen. Buttrey  
00:57:21 Sen. Facey  
00:57:47 Ms. Hansen  
00:58:50 Sen. Facey  
00:59:10 Mr. Cote  
00:59:42 Sen. Facey  
01:00:15 Sen. Buttrey  
01:01:37 Rep. Olsen  
01:02:25 Mr. Morrison

**Closing by Sponsor:**

01:04:33 Sen. Buttrey

Recess at 4:05 p.m.

Reconvene at 9:07 p.m.

00:00:10 Chair Buttrey

**EXECUTIVE ACTION ON SB 4**

00:00:54 **Motion:** Sen. D. Brown moved that **SB 4 DO PASS.**

**Discussion:**

00:01:02 Chair Buttrey  
00:06:02 Sen. Facey

**EXHIBIT(bus02a08)**

00:07:13 Rep. Ricci  
00:07:46 Chair Buttrey  
00:08:49 Sen. Brown  
00:09:52 Chair Buttrey

00:10:18 **Vote:** Motion carried 6-4 by roll call vote with Sen. Brown, Sen. Fitzpatrick, Sen. F. Smith and Sen. Vance voting no.

**EXECUTIVE ACTION ON SB 5**

00:10:59 **Motion:** Sen. D. Brown moved that **SB 5 DO PASS.**

**Discussion:**

00:11:16 Sen. Fitzpatrick

00:11:36 Chair Buttrey

00:11:55 **Motion:** Sen. Fitzpatrick moved that **SB 5 BE AMENDED.**  
**EXHIBIT**(bus02a09)

**Discussion:**

00:12:43 Mr. Walker

00:16:09 Chair Buttrey

00:16:33 Mr. Walker

00:16:59 Sen. Brown

00:17:14 Mr. Walker

00:18:09 Sen. Brown

00:18:25 Chair Buttrey

00:18:43 Sen. Brown

00:19:01 Chair Buttrey

00:19:16 Sen. Fitzpatrick

00:19:42 Chair Buttrey

00:20:15 **Substitute Motion:** Sen. Fitzpatrick made a substitute motion that **SB 5 BE AMENDED** and segregate sections 2, 7, and 17.

00:20:30 Chair Buttrey

00:20:41 **Vote:** Motion carried unanimously by voice vote.

00:21:03 **Motion/Vote:** Sen. Fitzpatrick moved that **SB 5 BE AMENDED** with sections 2, 7, and 17. Motion failed 5-5 by roll call vote with Sen. Connell, Sen. Facey, Sen. Fitzpatrick, Sen. Salomon and Sen. F. Smith voting aye.

00:22:25 **Motion:** Sen. Vance moved that **SB 5 BE AMENDED.**  
**EXHIBIT**(bus02a10)

**Discussion:**

00:23:36 Mr. Walker

00:25:39 Sen. Fitzpatrick

00:25:45 **Vote:** Motion carried unanimously by voice vote.

00:26:00 **Motion/Vote:** Sen. D. Brown moved that **SB 5 DO PASS AS AMENDED**.  
Motion carried unanimously by voice vote.

00:26:26 Chair Buttrey

**EXECUTIVE ACTION ON SB 8**

00:26:46 **Motion:** Sen. D. Brown moved that **SB 8 DO PASS**.

00:26:53 Chair Buttrey

00:27:55 **Motion:** Sen. D. Brown moved that **SB 8 BE AMENDED**.  
[EXHIBIT\(bus02a11\)](#)

**Discussion:**

00:28:03 Chair Buttrey  
00:29:28 Mr. Walker  
00:30:23 Chair Buttrey  
00:31:19 Stephanie Morrison, Legislative Fiscal Division  
00:33:14 Sen. Facey  
00:33:47 Ms. Morrison  
00:34:17 Sen. Facey  
00:34:25 Chair Buttrey  
00:34:28 Ms. Morrison  
00:35:13 Chair Buttrey

00:35:35 **Vote:** Motion carried unanimously by roll call vote.

00:36:12 **Motion:** Sen. D. Brown moved that **SB 8 DO PASS AS AMENDED**.

**Discussion:**

00:36:23 Rep. Curdy  
00:38:37 Chair Buttrey  
  
00:39:25 **Vote:** Motion carried 6-4 by roll call vote with Sen. Brown, Sen. Connell, Sen. Facey and Sen. Vance voting no.  
  
00:40:02 Chair Buttrey



**ADJOURNMENT**

Adjournment: 9:47 P.M.

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Nadine Spencer, Secretary

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Additional Documents:

**EXHIBIT**([bus02aad.pdf](#))